

Appl. No. 09/944,066  
Amdt. Dated August 6, 2003  
Reply to Office Action of July 7, 2003

## REMARKS

### *Priority Claim*

Applicant requests that the Office acknowledge the claim of priority under 35 USC Section 119(e). This non-provisional application claims the benefit under Title 35, U.S.C. §119(e) of co-pending U.S. provisional application serial no. 60/229,242, filed, August 30, 2000; co-pending U.S. provisional application serial no. 60/229,708, filed, August 31, 2000; co-pending U.S. provisional application entitled WOVEN FABRICS FORMED FROM INTIMATE BLENDS OF GREATER THAN ONE TYPE OF FIBER, by Charles A. Howland, filed, August 20, 2001, serial number 60/313,835; and co-pending U.S. provisional application entitled FABRICS FORMED FROM INTIMATE BLENDS OF GREATER THAN ONE TYPE OF FIBER, by Charles A. Howland, filed, August 22, 2001, serial number 60/314,053 each incorporated herein by reference.

### *Elections/Restrictions*

The Examiner has made a restriction requirement in accordance with 35 U.S.C. §121 between:

Species I: Claims 1, 6-24, 29-39, 61-62, 67-78, 81, 91-92, 96, 100, 107-118, 121, 126-129, 132, 135-145, 158, 162-171, 174-190, and 193-199, drawn to a system classified in class 442, subclass 286.

Species II: Claims 40-48, 119-120, 146-147, 172-173, and 191-192, drawn to an article of apparel, classified in class 2, subclass various.

Species III: Claims 49-60 and 148-157, drawn to a method, classified in class 427, subclass various.

Appl. No. 09/944,066  
Amtd. Dated August 6, 2003  
Reply to Office Action of July 7, 2003

In response to the Examiner's restriction requirement, election is hereby made to prosecute the invention of species I, claims 1, 6-24, 29-39, 61-62, 67-78, 81, 91-92, 96, 100, 107-118, 121, 126-129, 132, 135-145, 158, 162-171, 174-190, and 193-199. Claims 40-60, 119-120, 146-157, 172-173, and 191-192 have been withdrawn.

Claim 87 was not listed with any of the three species in the restriction requirement, however, from the context the applicant assumes claim 87 to be part of elected species I. The applicant respectfully includes claim 87 in its election of species I.

Applicant believes the above amendments and remarks to be fully responsive to the Office Action, thereby placing this application in condition for allowance. No new matter is added. Applicant requests speedy reconsideration, and further requests that Examiner contact its attorney by telephone, facsimile, or email for quickest resolution, if there are any remaining issues.

Respectfully submitted,



Vernon C. Maine, Reg. No. 37,389  
Scott J. Asmus, Reg. No. 42,269  
Neil F. Maloney, Reg. No. 42,833  
Andrew P. Cernota, Reg. No. 52,711  
Attorneys/Agents for Applicant

Cus. No. 24222  
Maine & Asmus  
PO Box 3445  
Nashua, NH 03061-3445  
Tel. No. (603) 886-6100, Fax. No. (603) 886-4796  
Info@maineandasmus.com